

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twenty First Judicial District Court, County of Ravalli

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-17-072
-vs-)	
)	DECISION
TRAVIS JOSEPH McLAUGHLIN,)	
)	
Defendant.)	

On July 27, 2017, for the offense of criminal possession of dangerous drugs, the District Court sentenced the Defendant to 5 years in prison, to run consecutively to the sentence on the first charge in Lewis and Clark County Case DC-13-35 and concurrently to the second charge in the Lewis and Clark County case. Defendant was sentenced to 180 days in the Ravalli County Detention Center for obstructing a peace officer and to 360 days in the Ravalli County Detention Center for being an habitual traffic offender operating a motor vehicle. These sentences run concurrently with his sentence for criminal possession of dangerous drugs. Defendant was given credit for 103 days of time served.

On February 23, 2018, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). Defendant appeared by videoconference from the Crossroads Correctional Center and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. Defendant was further advised that there is no appeal from a decision of the Division. Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).


The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.


Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 23rd day of February, 2018.

DATED this 9th day of March, 2018.

SENTENCE REVIEW DIVISION

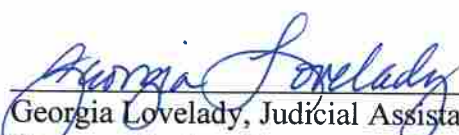

Hon. Kathy Seeley, Chairperson


Hon. Brenda Gilbert, Member


Hon. Dan Wilson, Member

Copies mailed this 13th day
of March, 2018, to:

Clerk of District Court (Original)
Travis Joseph McLaughlin #39316, Defendant (2)
Hon. James A. Haynes
Brent Getty, Defense Counsel
Thorin Geist, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division